

Assembly Bill No. 677

CHAPTER 164

An act to amend Section 11 of Chapter 14 of the Statutes of 2003, relating to education finance.

[Approved by Governor August 3, 2011. Filed with
Secretary of State August 3, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 677, Skinner. Education finance: Oakland Unified School District: sale of surplus property.

(1) Existing law appropriates \$100,000,000 from the General Fund to the Superintendent of Public Instruction for apportionment to the Oakland Unified School District as an emergency loan. Existing law authorized the Oakland Unified School District, from June 1, 2003, to June 30, 2007, inclusive, to sell property owned by the district and to use the proceeds from the sale to reduce or retire that emergency loan. Existing law also prohibited the Oakland Unified School District from being eligible for financial hardship assistance under the Leroy F. Greene School Facilities Act of 1998 during that period of June 1, 2003, to June 30, 2007.

This bill would provide instead that the provisions authorizing the Oakland Unified School District to sell property and prohibiting eligibility for financial hardship assistance would operate from January 1, 2012, to June 30, 2016, inclusive.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the Oakland Unified School District.

The people of the State of California do enact as follows:

SECTION 1. Section 11 of Chapter 14 of the Statutes of 2003, as amended by Section 51 of Chapter 677 of the Statutes of 2005, is amended to read:

Sec.11. (a) Notwithstanding Sections 17456, 17457, 17462, and 17463 of the Education Code, or any other law, from January 1, 2012, to June 30, 2016, inclusive, the Oakland Unified School District may sell property owned by the district and use the proceeds from the sale to reduce or retire the emergency loan provided in Section 9 of this act. The sale only of property pursuant to this subdivision is not subject to Section 17388, 17459, or 17464 of the Education Code.

(b) Notwithstanding any other law, from January 1, 2012, to June 30, 2016, inclusive, the Oakland Unified School District is not eligible for

financial hardship assistance pursuant to Article 8 (commencing with Section 17075.10) of Chapter 12.5 of Part 10 of the Education Code.

SEC. 2. The Legislature finds and declares that, due to the unique circumstances relating to the fiscal emergency in the Oakland Unified School District, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution, and the enactment of this special statute is therefore necessary.